

RESOLUTIONS

in eighteen months prior to the holding of any election in this state authorized by law, and is otherwise a qualified voter, shall not be required to pay, or to hold a receipt for the payment of, a poll tax in order to vote at any such election, if same is held while the United States is at war or within a certain stated time thereafter."

Sec. 3. The Governor shall issue the necessary proclamations relating to the publication of the foregoing Resolution, in the various counties of the state, and shall cause the same to be published as required by the statutes and the Constitution in connection with the submission of proposed amendments to the Constitution, to the people for their action at a statewide election. If it shall appear from the returns of the election at which the foregoing amendment to the Constitution is voted upon that a majority of the qualified voters have voted for said amendment, same shall then become a part of the Constitution of Texas.

Sec. 4. There is hereby appropriated out of the General Fund of the State of Texas, not otherwise appropriated, the sum of Fifteen Thousand Dollars (\$15,000.00), or so much thereof as may be necessary, to pay the expenses of advertising said Resolution in each county in the state and for such other purposes as may be necessary, or required by law, or by the Constitution.

Passed the Senate, March 27, 1945: Yeas 28, Nays 0; April 17, 1945, Senate refused to concur in House amendments and requested appointment of a Conference Committee; April 17, 1945, House granted request; April 30, 1945, Senate adopted Conference Committee Report: Yeas 28, Nays 0; passed the House, April 12, 1945, with amendments: Yeas 131, Nays 0; April 17, 1945, House granted request of Senate for appointment of Conference Committee; April 26, 1945, House adopted Conference Committee Report: Yeas 120, Nays 2.

Filed without the Governor's signature, May 2, 1945.

Adopted at election held Aug. 25, 1945.

CONSTITUTIONAL AMENDMENT—ARTICLE 5, § 2

S. J. R. No. 8

Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court of nine members; prescribing their qualifications; and providing for their election, tenure of office and compensation.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 2 of Article 5 of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Article 5

"Sec. 2. The Supreme Court shall consist of a Chief Justice and eight Associate Justices, any five of whom shall constitute a quorum, and the concurrence of five shall be necessary to a decision of a case; provided, that when the business of the court may require, the court may sit in sections as designated by the court to hear argument of causes and to consider applications for writs of error or other preliminary matters. No person shall be eligible to the office of Chief Justice or Associate Justice of the Supreme Court unless he be, at the time of his election, a citizen of the United States and of this state, and unless he shall have attained the age of thirty-five years, and shall have been a practicing lawyer, or a lawyer and judge of a court of record together at least ten years. Said Justices shall be elected (three of them each two years) by

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the qualified voters of the state at a general election; shall hold their offices six years, or until their successors are elected and qualified; and shall each receive such compensation as shall be provided by law. In case of a vacancy in the office of any Justice of the Supreme Court, the Governor shall fill the vacancy until the next general election for state officers, and at such general election the vacancy for the unexpired term shall be filled by election by the qualified voters of the state. The Justices of the Supreme Court who may be in office at the time this amendment takes effect shall continue in office until the expiration of their term of office under the present Constitution, and until their successors are elected and qualified. The Judges of the Commission of Appeals who may be in office at the time this amendment takes effect shall become Associate Justices of the Supreme Court and each shall continue in office as such Associate Justice of the Supreme Court until January 1st next preceding the expiration of the term to which he has been appointed and until his successor shall be elected and qualified."

Sec. 2. Said proposed Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at a special election to be held throughout the state on the fourth Saturday in August, 1945, at which election each voter opposing said proposed amendment shall scratch off the ballot with a pen or pencil the following words printed on said ballot:

"For the amendment to the State Constitution providing for a Supreme Court of nine members":

and each voter favoring said proposed amendment shall scratch off the ballot in the same manner the following words printed on said ballot:

"Against the amendment to the State Constitution providing for a Supreme Court of nine members."

If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published and said election held as provided by the Constitution and laws of this state.

Passed the Senate, February 27, 1945: Yeas 23, Nays 4; April 2, 1945, Senate refused to concur in House amendments and requested appointment of Conference Committee; April 2, 1945, House granted request; May 3, 1945, Senate adopted Conference Committee Report: Yeas 21, Nays 4; passed the House, March 28, 1945, with amendments: Yeas 125, Nays 2; April 10, 1945, House granted request of Senate for appointment of Conference Committee; May 3, 1945, House adopted Conference Committee Report: Yeas 124, Nays 1.

Filed without the Governor's signature May 8, 1945.

Adopted at election held Aug. 25, 1945.